

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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PETITION OF PSI ENERGY, INC., PURSUANT
TO IND. CODE § 8-1-2-6.8 AND 170 I.A.C 4-6-1
ET. SET. REQUESTING THAT THE COMMISSION
APPROVE THE USE OF CERTAIN QUALIFIED
POLLUTION CONTROL PROPERTY

PETITION OF PSI ENERGY, INC. PURSUANT
TO INDIANA CODE §§ 8-1-2-6.1, 8-1-2-6.7, 8-1-2-6.8,
8-1-2-23, 8-1-8.7, 8-1-8.8, 8-1-27, 8-1-2-42(a), 8-1-2.5
AND 170 I.A.C. 4-6-1 ET. SEQ. REQUESTING THAT
THE COMMISSION: (1) APPROVE PSI'S "PHASE 1"
PLAN FOR COMPLYING WITH PENDING SO₂,
NO_x, AND MERCURY EMISSIONS REDUCTION
REQUIREMENTS; (2) APPROVE THE USE OF
CERTAIN QUALIFIED POLLUTION CONTROL
PROPERTY AND CLEAN COAL AND ENERGY
PROJECTS; (3) GRANT PSI CERTIFICATES OF
PUBLIC CONVENIENCE AND NECESSITY FOR
CLEAN COAL TECHNOLOGY; (4) APPROVE THE
USE OF CONSTRUCTION WORK IN PROGRESS
RATEMAKING TREATMENT; (5) APPROVE
CERTAIN FINANCIAL INCENTIVES IN
CONNECTION WITH PSI'S COMPLIANCE PLAN,
INCLUDING THE TIMELY RECOVERY OF COSTS
INCURRED DURING THE CONSTRUCTION AND
OPERATION OF THE CLEAN COAL
TECHNOLOGY PROJECTS, AND THE USE OF
ACCELERATED DEPRECIATION; (6) GRANT PSI
AUTHORITY TO DEFER POST-IN-SERVICE
CARRYING COSTS, DEPRECIATION COSTS, AND
OPERATION AND MAINTENANCE COSTS ON AN
INTERIM BASIS UNTIL THE APPLICABLE COSTS
ARE REFLECTED IN PSI'S RATES;
(7) AUTHORIZE THE RECOVERY OF OTHER
RELATED COSTS; AND (8) CONDUCT ONGOING
REVIEWS OF THE IMPLEMENTATION OF PSI'S
COMPLIANCE PLAN

FILED

MAR 04 2005

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42622/42718
(Consolidated)

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On January 4, 2005, The Office of Utility Consumer Counselor ("Public" or "OUCC"), the Citizens Action Coalition of Indiana, Inc. ("CAC"), Steel Dynamics, Inc. ("SDI"), Nucor Steel ("Nucor") and the PSI Industrial Group ("Industrial Group") (collectively "Movants") filed a *Joint*

Motion to Revise Procedural Cause (“Motion”) in the above captioned Cause. In their Motion, the Movants requested that the procedural schedule in this matter be revised to extend the current filing deadlines and Evidentiary Hearing by ninety (90) days. On January 14, 2005, PSI Energy, Inc., (“PSI”) filed a *Response to the Joint Motion to Revise the Procedural Schedule* (“Response”), in which it objected to the ninety (90) day extension requested by the Movants and indicated that, if a continuance is to be granted that it should be for no greater than forty-five (45) days. On January 18, 2005, the Presiding Officers issued a Docket Entry (“Docket Entry”) that granted a forty-five (45) day extension of the procedural schedule. On February 7, 2005, the Movants filed a *Joint Motion for Reconsideration* (“Motion for Reconsideration”). On February 17, 2005, PSI filed a *Response to Intervenor’s Joint Motion for Reconsideration* (“Response to Motion for Reconsideration”).¹

On February 28, 2005, Intervenor Citizens Action Coalition of Indiana, Inc. (“CAC”); and Hoosier Environmental Council (“HEC”) filed an unopposed *Motion for Extension of Time* (“Motion for Extension”) in the above captioned Cause on behalf of themselves and the OUCC. In their Motion for Extension, Counsel for the CAC and HEC indicate that he has communicated with all parties to this Cause and there is no objection to the request. CAC and HEC also indicate that granting this Motion would render moot requests made in the pending Motion for Reconsideration.

The Presiding Officers having reviewed the information contained in the Motion for Extension, and being duly advised in the premises, hereby GRANT the Motion for Extension and revise the procedural schedule as follows:

1. **Public’s and Intervenor’s Prefiling Date.** Public and all Intervenor’s should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before March 18, 2005. Copies of same should be served upon all parties of record.

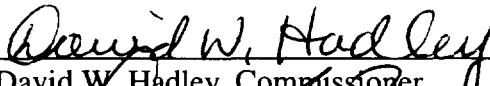
2. **Petitioner’s Rebuttal Prefiling.** The Petitioner should prefile with the Commission its prepared rebuttal testimony on or before April 18, 2005. Copies of same should be served upon all parties of record.

3. **Evidentiary Hearing on the Parties’ Cases-In-Chief.** In the event this Cause is not settled the cases-in-chief of the Petitioner, Public and any Intervenor’s should be presented in an Evidentiary Hearing to commence at 9:30 a.m. EST on May 9, 2005 and continue at 9:30 a.m. on May 10, 2005 and May 11, 2005, in Conference Center #32 (f/k/a TC-10) of the Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioner should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-

¹ In its Motion for Reconsideration the Movants responded to PSI’s Response, filed in this matter on January 14, 2005, and indicated that they were unable to file a reply to PSI’s Response as provided under 170 IAC 1-1.1-12(f). This inability to file a reply was the result of the timing of the filing of the Joint Movants’ Motion which was not filed until January 4, 2005. This filing date did not provide sufficient time for the filing of PSI’s Response--and a subsequent reply--as the Joint Movants’ prefiled testimony would have been due on January 18, 2005, absent the extension granted by the Presiding Officers on that date.

examination of Public's or Intervenors' witnesses. If the parties reach settlement, the agreement should be submitted to the Commission five (5) business days prior to the Evidentiary Hearing.

IT IS SO ORDERED.



David W. Hadley, Commissioner



David E. Ziegner, Commissioner



Scott R. Storms, Chief Administrative Law Judge

Date: March 4, 2005